

MPD 3550.2

BASELINE

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# **MARSHALL POLICY DIRECTIVE**

**CD01**

## **AUTHORIZATION OF PAY DIFFERENTIALS FOR DUTIES PERFORMED UNDER ADVERSE ENVIRONMENTAL CONDITIONS**

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### DOCUMENT HISTORY LOG

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## 1. PURPOSE

The purpose of this Directive is to establish policy and assign responsibilities for administration of U.S. Office of Personnel Management regulations which authorize differential payment for the performance of duties involving physical hardship, hazard, or adverse working conditions.

## 2. APPLICABILITY

This Marshall Policy Directive (MPD) is applicable to all Marshall Space Flight Center (MSFC) employees to whom Chapter 51 and subchapter III of Chapter 53 of Title 5 United States Code (U.S.C) apply.

## 3. AUTHORITY

- a. 5 U.S.C. 5545(d)
- b. 5 U.S.C. 5548(b)
- c. 5 C.F.R. 550 Subpart I, "Pay for Duty Involving Physical Hardship or Hazard"
- d. 5 C.F.R. 532 Subpart E, "Premium Pay and Differentials"
- e. NASA Personnel Bulletin 99-28-JM, "Hazard Pay Position Review"

## 4. APPLICABLE DOCUMENTS

MSFC Form 2864, "Authorization for Environmental Differential Pay"

## 5. REFERENCES

None

## 6. DEFINITIONS

- a. C.F.R. Code of Federal Regulations.
- b. Hazardous Duty. The meaning given that term in 5 C.F.R. 550.902: Hazardous duty means duty performed under circumstances in which an accident could result in serious injury or death, such as duty performed on a high structure where

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protective facilities are not used or on an open structure where adverse conditions such as darkness, lightning, steady rain, or high wind velocity exist.

c. Hazard Pay Differential. The meaning given that term in 5 C.F.R 550.902: Hazard pay differential means additional pay for the performance of hazardous duty involving physical hardship.

d. OPM. U.S. Office of Personnel Management.

e. U.S.C. United States Code.

## 7. POLICY

a. The policy of MSFC is to assure that employees are appropriately compensated for duty involving unusual physical hardship or hazard in a manner consistent with the intent of the controlling authority. Hazard differential pay shall be paid only for duties included in OPM's Schedule of Pay Differentials Authorized for Hazardous Duty (Appendix A to 5 C.F.R. 550, Subpart I). The authority to pay a hazard differential presupposes that adequate safeguards and/or measures are not practicable to eliminate or reduce the degree of risk to that of a normal operational mode. NOTE: Duties, though hazardous or adverse by nature, do not qualify for differential compensation if safety precautions have reduced the element of hazard to a less than significant level of risk; consistent with generally accepted standards that may be applicable, such as those published by the Occupational Safety and Health Administration (OSHA), Department of Labor; or protective or mechanical devices have adequately alleviated physical discomfort or distress.

b. A proposed operation (other than reduced gravity parabolic arc flights and simulated altitude chamber training/orientation), which requires performance of work where hazard pay differential is recommended must be endorsed by the Director, Safety and Mission Assurance (S&MA) Office, and approved by the Center Director.

c. Hazard differential pay shall not be paid to an employee when the unusually severe physical hardship, hazard, and/or working condition has been "taken into account in the classification of his [or her] position...."

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## 8. RESPONSIBILITIES

a. Human Resources Department is responsible for:

(1) Informing employees, their supervisors, and line management of the process for compensating employees involved in work that presents an unusual hazard or hardship.

(2) Performing periodic reviews of positions for hazardous duty or hardship, including any new or revised positions.

(3) Ensuring that hazard pay differential is not paid to an employee when the hazardous duty or physical hardship has been taken into account in the classification of his/her position, [unless payment has been approved by the head of the agency in accordance with 5 C.F.R. 550.904(b)].

(4) Administering the system for pay differential for hazardous duty in accordance with OPM regulations.

(5) Insuring that the recommendation fulfills all requirements prescribed by the Office of Personnel Management. As appropriate, the Human Resources Department will refer the recommendations to the Director, S&MA, for review and concurrence.

(6) As appropriate, forwarding Form 2864 or approved modification (together with other related documentation) to the NASA Payroll and Center Personal Services Office.

b. NASA Payroll and Center Personal Services Office is responsible for:

(1) Assuring approvals are made before payment of premium differential to each employee.

(2) Computing the actual amount of premium differential pay for each employee on the basis of information reported on MSFC Form 2864 (Authorization for Environmental Differential Pay), or approved modification.

(3) Paying all claims for environmental differential pay approved by the Human Resources Department.

c. Safety and Mission Assurance Office is responsible for:

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(1) Providing technical advice to the Center Director and operating officials concerning the degree of risk existing in MSFC operations in view of established safeguards.

(2) Providing the necessary technical advice, assistance, and/or direction, to ensure that safety precautions have reduced the element of hazard to a less than significant level of risk consistent with generally accepted standards that may be applicable, such as those published by OSHA, Department of Labor, or protective or mechanical devices have adequately alleviated physical discomfort or distress. The assessment of the adequacy of protective devices and/or procedures as related to environmental health hazards will be made, when appropriate, with the Director, MSFC Medical Center.

(3) If the hazard and/or physical conditions present in the duty cannot be reduced to a less than significant level of risk or the physical discomfort or distress adequately alleviated, the situation will be referred to the Center Director for a determination to be made as to whether or not the performance of the duty will be permitted.

d. Supervisors are responsible for:

(1) Reviewing work operations to assure that adequate safeguards are in place and all potential hazardous operations are identified and processed through appropriate channels if a hazard pay differential is recommended. This must be accomplished prior to the performance of such duties by employees.

Identify hazardous duty situations necessary to be performed by employees in his/her organizational segment, and obtain the necessary assistance from the S&MA Office to ensure that adequate safeguards, protective devices, and/or safety procedures exist or are established to reduce the hazard or physical hardship present in the duty to a less than significant level of risk.

(2) Preparing MSFC Form 2864 or approved modification, subsequent to the performance of the hazardous duty by the employee. The MSFC Form 2864 must contain:

(a) All data as identified by the heading in each column.

(b) A concise but complete description of the duties actually performed by the employee while in the environmental differential work status.

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(3) Forwarding the completed MSFC Form 2864, or approved modification, together with a copy of the Center Director's approval (when required) to perform the duty, to the Manager, Human Resources Department.

e. Center Director is responsible for:

(1) Reviewing hazardous duty situations, referred with recommendations from the Director, S&MA.

(2) Making a determination as to whether or not the performance of the duty (where the level of risk cannot be reduced to a less than significant level) will be permitted to be performed. NOTE: Such a determination by the Center Director is not required for reduced gravity parabolic arc flights and associated simulated altitude chamber training/orientation.

## 9. RECORDS

The Payroll and Center Personal Services Office will maintain records of hazard premium differentials paid.

## 10. MEASUREMENT

None

## 11. CANCELLATION

MMI 3550.1D, dated July 19, 1976, and Changes 1-2 thereto

Original Signed by

A. G. Stephenson  
Director